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RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF

JOSEPH C. VENDITTO, DMD
License No. 22 DI 1610800

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

CERTIFIED TRUE COPY

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a complaint submitted on behalf of patient M.F., a minor, alleging that Joseph C. Venditto, DMD ("respondent") failed to conform to standard dental practice in the State of New Jersey. Specifically it has been alleged that respondent did not properly diagnose the presence of multiple extensive caries and an advanced state of decay in seven of M.F.'s teeth. The failure to properly diagnose and treat these teeth resulted in M.F. having to undergo multiple root canal procedures with the subsequent need for crowns. On May 5, 2004, respondent appeared with counsel, Rudolph A. Socey, Jr., at an investigative inquiry into the matter held by the Board.

During the inquiry, respondent testified that on May 31, 2001, M.F. reported to his office complaining of pain in tooth #31. Emergency treatment was undertaken. Respondent performed a root canal and placed a crown on the tooth. Respondent admitted that he failed to previously diagnose the presence of decay on tooth #31 when M.F. presented for an exam and x-rays in May of 2000. Respondent further admitted that the crown he placed on tooth #31 currently had decay on the mesial margins and would need to be redone.

Having reviewed the entire record, including the patient records and the testimony of respondent

at the investigative inquiry, it appears to the Board that respondent committed repeated acts of negligence by continuously failing to diagnose and subsequently treat multiple and extensive caries on several of M.F.'s teeth. These facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(d) for engaging in repeated acts of negligence. It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 15th DAY OF Dec, 2005

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for engaging in repeated acts of negligence.
2. Respondent shall successfully complete the following continuing education courses:

seven (7) hours in diagnosis and treatment planning and the ProBe Course

These courses shall be completed within six (6) months of the entry of the within Consent Order. Further, these courses are in addition to the regularly required continuing education hours. The diagnosis and treatment planning course shall be approved by the Board in writing prior to attendance. Respondent shall complete and submit the attached Application for Course Approval at least 30 days prior to the start of the required course work. The attached form is made a part of this Consent Order.

3. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of ten thousand dollars (\$10,000) for engaging in repeated acts of negligence in violation of N.J.S.A. 45:1-21(d). Payment in the total amount of ten thousand dollars (\$10,000) shall be made no later than sixty (60) days from the entry of this Consent Order. Payment of the civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin Earle, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, NJ 07101. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Respondent shall pay restitution to Medicaid in the amount of five hundred and forty-six dollars (\$546) for the post, core and crown on tooth #31 which developed decay requiring re-treatment. A certified check or money order made payable Medicaid in that amount shall be sent contemporaneously with respondent's signing of this Consent Order to Kevin Earle, Executive Director, Board of Dentistry, at the address above.

5. Respondent is assessed the costs of the investigation to the State in this matter in the amount of three hundred nineteen dollars and fifty cents (\$ 319.50). Payment for the costs shall be

submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than sixty (60) days from the entry of this Consent Order. Payment shall be sent to Kevin Earle at the address described in paragraph #3.

6. Failure to remit any payment as required by this Order will result in the filing of a certificate of debt.

7. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Peter L. DeSciscio
~~Herbert B. Dolinsky, D.D.S.~~ Peter L. DeSciscio, DMD
Vice - Board President

I have read and I understand this
Consent Order and agree
to be bound by its terms. I consent
to the entry of this Order.

Joseph C. Vendino
Joseph C. Vendino, DDS

11/27/05
Date

I consent to the entry of this
order as to form.

Rudolph A. Socey, Jr.
Rudolph A. Socey, Jr., Esq.

12/3/05
Date